

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

**DAVID MCCAIG, INDIVIDUALLY AND
AS THE REPRESENTATIVE OF THE
ESTATE OF ALLIE VIDA MCCAIG,**

Plaintiff,

v.

WELLS FARGO BANK (TEXAS), N.A.

Defendant

Civil Action No. 2:11-cv-00351

AFFIDAVIT IN SUPPORT OF ATTORNEYS' FEES AND COSTS

STATE OF TEXAS §

§

COUNTY OF HARRIS §

BEFORE ME, the undersigned authority, on this day personally appeared George A. Kurisky, Jr., who is personally known to me, and first being duly sworn according to law upon his oath testified as follows:

1. "My name is George A. Kurisky, Jr. I am over eighteen (18) years of age, I am an shareholder of the law firm of Johnson DeLuca Kurisky & Gould, P.C., and I am fully competent to make this affidavit. I have personal knowledge of the facts stated herein, and they are all true and correct.

2. I am the attorney of record for Wells Fargo Bank, N.A. ("Wells Fargo"), Defendant in the above entitled and numbered cause, and I have represented Wells Fargo in all phases of said litigation. In the course of my representation, I and other attorneys and/or staff members of this law firm have expended and will expend on behalf of Wells Fargo, through the date of filing for summary judgment, the following time for the following services:

- (a) Review pleadings filed by Plaintiff; conference with client regarding case; review documents provided by client.
- (b) Draft Answer; Draft removal documents.
- (c) Draft and file Joint Discovery Case Management Plan; prepare for and attend scheduling conference.
- (d) Conferences with Plaintiff's counsel.

- (e) Draft and send written discovery to Plaintiff; review Plaintiff's responses and document production.
- (f) Prepare for and take Plaintiff's deposition.
- (g) Review Plaintiff's written discovery to Wells Fargo; draft and send Objections and Responses to Plaintiffs' Interrogatories and Request for Production.
- (h) Research law; draft Motion for Summary Judgment and Motion to Dismiss; draft affidavit for attorneys' fees; confer with client regarding summary judgment.

3. It is my opinion that all of the legal work performed in this matter by me and other attorneys of Johnson DeLuca Kurisky & Gould, P.C. was both reasonable and necessary.

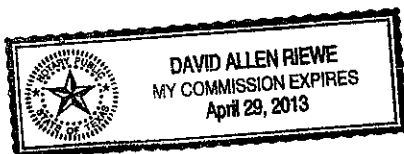
4. I am a licensed attorney, practicing in the Courts of this County, State and Federal District. I have practiced law in Texas for more than twenty years, and have extensive experience representing mortgage lenders and/or mortgage servicers in cases similar to the present. I am familiar with the usual and customary attorney's fees charged in the Southern District of Texas for similar representation. Taking into consideration the time and labor involved, the nature of the case at bar and the complexity of the issues involved, the expertise, reputation and ability of counsel, other employment lost, extent of responsibility assumed, the benefits to be derived by Defendant and the costs and expenses incurred by Defendant, I am of the opinion that a reasonable attorney's fee and expenses in this cause with respect to Defendant, through summary judgment, would be the sum of \$26,500.00. This amount was calculated multiplying the number of hours spent on this matter by the applicable hourly rate, and adding in additional fees.

5. I charge an hourly rate in this matter of \$400.00. I have practiced law throughout Texas and in the Southern District of Texas for over ten years and have extensive experience handling lawsuits similar to the present case. It is my opinion that my hourly rate is reasonable for an attorney of my experience level and background in the Southern District of Texas in a matter such as this.

FURTHER Affiant sayeth not."


George A. Kurisky, Jr.

SUBSCRIBED AND SWORN TO BEFORE ME, by the said George A. Kurisky, Jr., on this the 29 th day of June, 2012, to certify which witness my hand and seal of office.




NOTARY PUBLIC, STATE OF TEXAS